

## REGION 5 FY06 ENVIRONMENTAL JUSTICE ACTION PLAN PROGRESS REPORT

### GOAL 1: Clean Air and Global Climate Change

#### Objective 1: Reduction in number of asthma attacks (e.g., reduce asthma triggers such as particulate matter)

Activity	Output	Outcome	Result
<p>1. Asthma--Initiate Children's Environmental Health activities related to schools.</p> <p>(a) Comprehensive schools training course is developed and implemented as part of Western Michigan focus in conjunction with the Waste, Pesticides and Toxic Substance Division (WPTD).</p> <p>(b) Focus our Tools for Schools (TfS) efforts in the Detroit area.</p>	<p>(a) By 2006, Region 5 staff is trained and by 2007, staff delivers multi-media outreach to constituents.</p> <p>(b) Detroit Public School (DPS) system begins to implement TfS in 2006.</p>	<p>(a) Exposure to environmental hazards and asthma triggers is minimized.</p> <p>(b) More students and staff experience improved air quality in their schools.</p>	<p>(a) Region 5 staff primarily from Air &amp; Radiation Division (ARD), WPTD and Water Division (WD) developed an integrated, schools familiarization training for EPA staff. The half-day training session, which described major environmental and environmental health issues found in schools as well as EPA resources and tools to help schools understand and address these issues, was delivered to 45 EPA staff in February 2006. Training materials can be found on the Region 5 website, <a href="http://www.epa.gov/region5/air/radon/index.html">http://www.epa.gov/region5/air/radon/index.html</a></p> <p>This training (in a modified form – to meet specific school and community needs) was presented three times in the Western Michigan area. ARD and WPTD are partnering with Kent Intermediate School District and various West Michigan partners to provide similar training to school facilities managers and administrators. The training is scheduled to take place in January 2007.</p> <p>(b) DPS received the Leadership Award for TfS. DPS has 261 schools in its district. DPS has an indoor air quality (IAQ) plan for the entire district with a focused implementation at 10 schools where TfS is being implemented. DPS continues to meet with IAQ committees established in the 10 targeted schools. DPS is revising their Environmental Site Assessment process. In May, DPS raised asthma awareness by distributing EPA publications in 10 schools. DPS made presentations at parent/teacher meetings and also worked with students. R5 has regular conference calls with DPS to provide</p>

*Final Region 5 '06 EJ Action Plan – 2006 Progress Report – 11/01/06*

			technical assistance, ideas, and support. R5 continues to assist by conducting walkthroughs and training for the upcoming school year. An additional 5 schools will be selected to participate in the program for the next school year.
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**GOAL 1: Clean Air and Global Climate Change**

**Objective 2: Reduce exposure to air toxics (e.g., reduce releases of mercury)**

Activity	Output	Outcome	Result
1. Air Toxics--Conduct Radon testing and outreach effort in potential EJ community located in a Zone 1 Radon area.	One hundred (100) homes tested for Radon.	Residents are knowledgeable about the health risks and remediation options to minimize those risks.	Region 5 selected 2 grantees (1 tribal radon grantee and 1 combined radon/ environmental tobacco smoke grantee to a nonprofit) to provide outreach, testing and radon mitigation in 2 potential EJ communities in Western Michigan (Kalamazoo and Calhoun Counties). Testing, mitigation and outreach activities will occur in 2007.
2. Diesel - Conduct Diesel activities in potential EJ areas.  (a) Identify potential Smartway partners in potential EJ areas and recruit companies to become a Smartway partner.	(a) Target companies to join Smartway program with logistics, trucking, and rail companies and associations signing on as Smartway partners to implement fuel savings and equipment retrofit strategies.	(a) NOx and PM emissions are reduced and fuel savings are gained, which have beneficial impacts on air quality with corollary health benefits for susceptible populations in potential EJ areas.  NOx and PM emissions reduced are commensurate with the number of school buses retrofitted or replaced, with corollary health benefits for students and other susceptible populations in potential EJ areas.	(a) Two conferences with an emphasis on the Smartway Transport Partnership were held.  Region 5 is actively pursuing major metro area transit fleets to apply for Congestion Mitigation and Air Quality Improvement (CMAQ) funding and retrofit busses – met with CTA and Milwaukee County. Helped Chicago with anti-idling policy for municipal vehicles. MDCI is reducing 85 tons of PM2.5 and 1,249 tons of NOx both per year. Currently the entire initiative is impacting 352,203 engines.

**GOAL 2: Clean and Safe Water**

**Objective 1: Safe fish/shellfish**

**Objective2: Clean and safe drinking water**

Activity	Output	Outcome	Result
1. Review Class 5 wells closed through the voluntary closure initiative to determine if the initiative's targeting and outreach activities reached disproportionately impacted communities.	<p>(a) Develop a report discussing the results of the evaluation, as well as any proposals for revising outreach to better reach disproportionately impacted communities, if needed.</p> <p>(b) Revise outreach tools, as appropriate.</p> <p>(c) Number of wells closed through voluntary closure in EJ Smart Enforcement Analysis Tool (EJSEAT) areas.</p>	All owners of Class 5 wells are provided equal understanding of and access to the voluntary closure initiative.	The analysis which was committed to is complete (using the prototype EJSEAT database), and shows that the results vary by state, with zero overlap at the 10th percentile, in two of the states, up to 2.8% overlap at the 10th percentile in one state. Further analysis of these data are needed to determine if these results are due to disproportionate distribution of the entire universe of class 5 wells, if the prototype EJSEAT is insensitive to water issues or if the results actually show a disproportionate closure rate.
2. Review TMDLs reviewed and approved in 2003-2005 against demographics for all impaired waters, to ensure the State/EPA process for prioritizing TMDL development does not result in disproportionate impact on any group of people.	<p>(a) Report discussing the results of the evaluation, as well as any proposals for revising prioritizing schemes.</p> <p>(b) If appropriate, revised prioritization of TMDL development, for 2008 listing cycle.</p> <p>(c) Number of TMDLs approved in EJSEAT areas.</p>	No group of people suffers disproportionate exposure to impaired waters, as a result of TMDL prioritization protocols.	The analysis which was committed to is complete (using the prototype EJSEAT database), and shows that the results vary by state, with zero percent of the TMDLS impacting EJSEAT areas at the 10th percentile, in the state with the lowest overlap rate, up to 14.3 % of the TMDLs impacting the EJSEAT areas at the 10th percentile in the state with the highest overlap rate. Further analysis of these data are needed to determine if these results are due to disproportionate distribution of the entire universe of TMDLs, if the prototype EJSEAT is insensitive to water issues or if the results actually show a disproportionate rate of TMDL approval in EJSEAT areas.

**GOAL 3: Land Preservation and Restoration**

Activity	Output	Outcome	Result
1. Focus on revitalization and reuse of superfund sites with EJ concerns.	Identify the number of superfund sites in potential EJ communities that will be made available for revitalization and reuse in 2006.	Increase in property value and economic benefits.	Twenty-one sites were made available for revitalization and reuse in 2006.
2. Identify and document EJ concerns included in the Five-Year Review (FYR) Process.	Develop a report to identify EJ concerns.	Improve participation of communities in Five Year Review process.	Region 5 identified 28 out of 39 FYR sites as potential EJ sites using the 1998 EJ Guidelines. However, there was only one FYR that mentioned EJ and noted there were not any EJ issues identified during the review.
3. Track emergency removal sites that are located in potential EJ communities.	Identify the number of time and non-time critical removals in potential EJ communities cleaned-up in 2006.	On-Scene Coordinators will identify quantity of waste removed in potential EJ communities.	Removal actions were completed at 5 out of the 13 potential EJ sites addressed. More than 48,000 yd <sup>3</sup> of contaminated soil, 27 yd <sup>3</sup> of solid waste, 10,500 gallons of liquid waste, and 27 yd <sup>3</sup> of debris were removed from these remediated potential EJ sites during the fiscal year.
<p>4. Perform EJ analysis for any site receiving a draft Federal RCRA permit decision.</p> <p>(a) Based on the analysis determine whether the area is a potential EJ area and the basis for the determination.</p> <p>(b) For potential EJ areas, review communication options and any additional evaluation requirements.</p> <p>(c) Provide results to community as part of the draft permit public record.</p> <p>(d) Respond to public EJ comments and reevaluate permit conditions based on comments.</p>	<p>Determination of EJ status based on site specific EJ analysis.</p> <p>Final permit reflects EJ analysis and public comments.</p> <p>EJ analysis made available to public through the permit administrative records process.</p>	<p>Enhanced public participation in the permitting process and residents are better informed regarding the EJ status of their community.</p> <p>If appropriate, permit includes actions to address EJ concerns.</p>	<p>(a) Completed 8 assessments. Site Report given to project manager and placed in respective site's administrative record. Three sites with potential EJ concerns: Safety Kleen Systems Inc., Wayne State University, and Envirite Corp. No potential EJ concerns identified at 5 sites: US DOE Fermilab - National Accelerator Laboratory, Beaver Oil Company, Inc., Reilly Industries Inc., Lone Star Industries – Landfill, and Systech Environmental Corp.</p> <p>(b), (c) &amp; (d) Enhanced public participation in the permitting process and residents are better informed regarding the EJ status of their community.</p> <p>If appropriate, permits include actions to address EJ concerns.</p>

			<p>Of the 14 draft or final permits with Federal components issued or re-issued in 2006, only 3 are in potential EJ areas, two based on minority populations and 1 based on low income. The only comments regarding EJ received in 2006 were based on a draft permit issued in 2005. In response to those comments, which included additional information about the area, the risk assessment was expanded to include a stocked lake in a state park. The additional information is likely to lead to additional restrictions on the facility whose final permit decision has not yet been made.</p> <p>Four sites did not have an EJ assessment completed due to time constraints and the policy of issuing with the state. Of these four, only one is in a potential EJ area based on low income. All four are re-issuances. None of the four sites had expanded operations or increased emissions over existing permits.</p>
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**GOAL 4: HEALTH COMMUNITIES AND ECOSYSTEMS**

**Objective 1: Reduction in elevated blood lead levels**

Activity	Output	Outcome	Result
<p>1. Foster effective partnerships</p> <p>(a) Identify, develop and maintain cooperation and coordination among all stakeholders who have partial jurisdiction in lead poisoning prevention.</p> <p>(b) Participate in and promote the development of effective State, Tribal, and Local lead strategies responsive to state and Local needs and conditions.</p> <p>(c) Work on joint priority setting with the Great Cities Urban Initiative Managers in Region 5's Great Cities.</p>	<p>On-going partnerships sustained in Chicago, Detroit, and Cleveland to address elevated children's blood lead levels in hot spots.</p> <p>State project officers attend relevant partnership meetings.</p> <p>Continued participation in R5/State Lead Conference.</p> <p>Continued support of the state and city lead elimination plans.</p>	<p>Lead poisoning partnering program resources are focused in potential EJ communities.</p>	<p>(a) &amp; (b) Region 5 continues to maintain contact with the partnerships in Chicago, Detroit, and Cleveland and attend meetings of each partnership as possible, mainly those in Chicago. Region 5's Office of Science Ecosystems and Communities (OSEC) developed a draft report of their research analyzing blood lead levels.</p> <p>Region 5 hosted a Greater Cleveland Lead Safe Living Campaign seminar, attended by representatives from the Campaign, along with staff from the Chicago Dept. of Public Health (CLPPP), the IL Dept. of Public Health, Lead Safe Illinois and EPA. Participants discussed ways in which large city lead poisoning prevention collaborations might better work together and be supported by EPA.</p> <p>We partnered with HUD's Office of Healthy Homes &amp; Lead Hazard Control by participating in the "National Healthy Homes for Healthy Kids Campaign" outreach events sponsored in both Detroit (Aug. 4-6) and Chicago (Aug. 12).</p> <p>We provided Healthy Homes familiarization training to 20 staff from HUD's Grand Rapids (MI) Field Office which emphasized lead poisoning prevention.</p> <p>Region 5's "Great Cities" program funded the second Cleveland lead primary prevention project and had a press conference with Mayor Frank G. Jackson of Cleveland to showcase the project.</p> <p>(c) Joint priority setting between the Great Cities program and PTB has taken place. The Great Cities</p>

			program has informed the PTB that Great Cities managers are not available to facilitate partnership meetings or build State or local capacity unless there are specific projects that “Great Cities” managers can participate in. PTB has agreed to inform OSEC if these projects are developed. OSEC will consult with PTB if mayors identify lead projects for the Great Cities grant program. OSEC is working on several research projects. The research analysis should be of help to our State and local lead partners.
<p>2. Target technical support efforts to reduce exposures to lead in the areas/neighborhoods with greatest needs.</p> <p>(a) Provide technical support to vulnerable populations and tribal grants.</p>	<p>Oversee the three awarded lead vulnerable population grants from FY05.</p> <p>One Tribal lead grant awarded.</p> <p>If offered in FY 06, screen and rank applications for vulnerable population lead grants.</p>	<p>Childhood blood lead levels reduced from levels identified in year 2000.</p>	<p>We awarded 1 tribal grant and DITCA, and we are still managing FY05 vulnerable population grants. The DITCA will allow the receiving Tribe, Bois Forte, to serve 6 tribes with a circuit rider program.</p> <p>The NOFA for the FY06 vulnerable population grants has not been issued but the “Output” starts with “If offered in FY06”.</p>
<p>3. Effectively implement specific Federal lead Programs, including the use of non-conventional approaches where needed and appropriate.</p> <p>Provide outreach and education on lead hazards and exposure pathways to potential EJ communities.</p>	<p>Twenty-five thousand (25,000) individuals in potential EJ communities are targeted through general lead education and outreach activities.</p>	<p>Exposure to lead-based paint hazards reduced.</p>	<p>We processed the FY '06 award of TSCA § 404(g) grants to each of its six states to support the continued implementation of lead training, certification and accreditation programs. Our outreach includes potential EJ areas.</p>



**GOAL 4: HEALTHY COMMUNITIES AND ECOSYSTEMS**

**Objective 2: Collaborative problem-solving to address environmental justice issues**

Activity	Output	Outcome	Result
1. Great Cities Partnership program, in consultation with EPA staff and the Mayors' offices, will promote conducting work in high priority human health risks communities.	<p>Most Great Cities Partnership program grants will be awarded to address disproportionate risks in urban communities.</p> <p>The nationally awarded Region 5 CARE grants will address disproportionate risks in a Region 5 community.</p>	The reduced environmental burden, as a result of Great Cities and CARE grant projects, will be measured to the extent practicable.	<p>Through the Great Cities Partnership Grants, the City is conducting a variety of high visibility activities in the communities most affected by lead problems. The Partnership participated in a press conference highlighting lead prevention awareness in July with the Acting RA. As of the end of August, the Working Toward a Lead Safe Cleveland Great Cities project, the city has completed 107 Level 1 Risk Assessments (53.5% of goal), 780 Family contact/technical assistance visits (107% of goal), 354 exterior paint observations (68% of goal), and 1300 housing unit assessments (86.6% of goal).</p> <p>Muskegon Heights has decided how to use the CARE TBA funds. OSEC and RCRA continue to support Muskegon Heights for the assessment as part of the CARE grant.</p>
2. Children's Health - Provide technical assistance to R5 school districts to implement Environmental Management Systems (EMSs) in schools within potential EJ areas.	EMS Technical assistance provided to R5 school districts.	A significant number of children in R5 will attend schools that have healthier environment, including reduced exposures to poor indoor air quality, asbestos, mercury, pesticides and other hazardous chemicals.	<p>R5, in partnership with Michigan School Business Officials, provided a training session to 25 school districts throughout Michigan (including Detroit Public Schools and Kent Intermediate School District) on Healthy School Environments Assessment Tool (Healthy SEAT) in January 2006. Healthy SEAT is EPA's school environmental management system tool. Region 5 has subsequently provided more in-depth technical assistance on Healthy SEAT to 2 of the school districts that participated in the training session.</p> <p>During May 2006, forty schools in West Michigan participated in a non-regulatory on-site audit which provided them with information on lab and chemical safety, proper storage of chemicals, inventory control and waste minimization. In addition, they</p>

			<p>were given the opportunity to dispose of excess, outdated curriculum chemicals in a collection held in Wyoming, MI on May 13, 2006 ARD and WPTD are partnering with Grand Rapids Public Schools, MDEQ and MI OSHA to develop and implement in-depth training on improving management of hazardous chemicals to West Michigan science teachers and administrators. Training is scheduled for November 2006. All schools that participated in the non-regulatory audit and school chemical cleanout are expected to participate in this training session. Additional schools will also be invited to participate.</p>
<p>3. Environmental Justice Small Grants Program.</p>	<p>Provide financial assistance to the community based organization, Earth Day Coalition, in the amount of \$25,000, to carry out its environmental justice project in Cleveland, OH.</p>	<p>Build a network of minority student leaders to work with a local low-income and minority neighborhood to promote community involvement in local environmental health and quality of life issues in Cleveland, Ohio.</p>	<p>During FY'06, the following project activities were completed:</p> <ul style="list-style-type: none"> <li>- A community network of minority student leaders was built to promote community involvement. An extensive student recruitment process was planned and enacted by the Earth Day Coalition (EDC) and the Project partners, which included Boy Scouts, Glenville Development Corporation, St. Martin de Porres School, Cleveland Museum of Natural History, Cleveland Division of Air Quality, Cuyahoga County Solid Waste District, Northeast Ohio Regional Sewer District, Cleveland Division of Water, and the Student Environmental Congress. EDC and project partners provided 21 training sessions 3 field trips to students on environmental and community topics to prepare for their community presentations. Parents were invited to all trainings and events.</li> <li>- All project partners met for 12 face-to-face meetings to plan and evaluate each phase of the project, develop Workshop manuals, and develop a multi-media communication plan. Project partners served as trainers and presenters and they recruited community experts to provide in-depth presentations and share expert information.</li> </ul>

			<ul style="list-style-type: none"> <li>- The following student teams were formed: Air Team, Water Quality Team, Recycling Team, and Community Assets Team.</li> <li>- After the rigorous training schedule, large group sessions and small group planning sessions were conducted to help students organize their information and develop goals for the community outreach portion of the project. Students prepared a project outline based upon a tool developed by Earth Day Coalition.</li> <li>- Students assembled final issue information, assigning presentation responsibilities, designing a tabletop display and preparing handouts. Project partners began researching and assembling the database for community outreach.</li> </ul> <p>Work expected to be completed during first quarter FY'07:</p> <ul style="list-style-type: none"> <li>- A review of all training information with students and all project partners.</li> <li>- Student presentations will be finalized and presentation materials will be reviewed and completed.</li> <li>- Community venues will be contacted and presentation dates will be secured.</li> <li>- Logistics for community presentations will be finalized and the community meetings and outreach will occur.</li> <li>- Contacts with NOACA's SIP process, the Cleveland Citywide Plan, the Dike 14 Nature Preserve Planning and the Doan Brook Restoration will be made, and inclusion of the student and interested community will be sought.</li> </ul> <p>The project is expected to be completed by December 31, 2006.</p>
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**GOAL 4: HEALTHY COMMUNITIES AND ECOSYSTEMS**

**Objective 3: Revitalization of brownfields and contaminated sites**

Activity	Output	Outcome	Result
1. Focus on revitalization and re-use of brownfield sites with potential EJ concerns.	<p>(a) Brownfield sites in potential EJ communities are targeted for revitalization and reuse in 2006.</p> <p>(b) Urban properties are made available for residential use.</p> <p>(c) Resources are allocated for assessments, cleanup, and redevelopment in potential EJ areas.</p>	Increase economic base in community, sustainable reuse of urban infrastructure, expand use of green technology, increase construction in housing and commercial development.	Cooperative Agreements are being negotiated for Ben Harbor, MI and Lincoln Heights, OH. The cooperative agreement for Robbins, IL has been awarded.
2. Expand Brownfield job placement opportunities in potential EJ communities.	Increase BF job placement in potential EJ communities.	Outcome: Additional jobs are created in potential EJ communities; individuals acquire life skills through job training.	The preliminary numbers for Region 5 is 4,280 cumulative with 229 job placements so far this year.

**GOAL 5: COMPLIANCE AND ENVIRONMENTAL STEWARDSHIP**

**Objective 1: Ensure compliance**

Activity	Output	Outcome	Result
1. Review other agencies' NEPA documents and comment as appropriate on EJ implications of projects.	Number and nature of comments related to EJ at draft and final EIS stages.	EJ considerations are adequately presented in NEPA documents.	50 EISs were reviewed during FY06; 0 involved EJ issues warranting comments.
2. Include consideration of EJ issues in EPA's preparation of NEPA documents for Congressional Special Appropriation projects.	Number and nature of EJ issues resolved or mitigated to allow signing a "Finding of No Significant Impact."	EJ considerations are adequately presented in NEPA documents.	In FY06, 59 NEPA determinations were made for Congressional Special Appropriations Projects: 30 FONSIIs were issued, 23 Categorical Exclusions were issued, and 6 NEPA "Not Required Determinations" were made. None of these activities involved EJ issues needing consideration/resolution.
3. Encourage and pursue SEPs in enforcement agreements which hold potential environmental benefits for Environmental Justice areas.	Priority consideration is given to SEP proposals which have the greatest potential for environmental benefits in potential EJ areas. SEPs in finalized agreements will be analyzed for associated emission reductions, which will be quantified and captured in case conclusion data sheets.	Environmental Justice areas will benefit from greater focus on SEPs with emission reductions resulting from the priority consideration with corollary health benefits for susceptible populations in potential EJ areas.  Records of SEP emission reductions will be available to document environmental benefits resulting from the strategy.	SEPS in H. Kramer, Cosmed, Exxon, and Degussa impacted EJ issues. Emissions reductions: CO - 4,028,100; Hydrocarbons – 3,847 lbs/yr; NOx – 5,947; PT/PM10 – 126,518 lbs/yr; Pb – 2,079 lbs/yr.  One hundred ninety-eight (198) rental units were abated / mitigated from lead containing material during the settlements of EPA enforcement actions.
4. Perform compliance monitoring and enforcement in potential EJ communities.	Fifty (50) section 1018 inspections conducted, of which 90% will be targeted in known or suspected EJ lead hot spots.	Exposure to lead-based paint hazards reduced.	Forty-five (45) Section 1018 inspections were conducted in known or suspected EJ lead hot spots.
5. Use EJSEAT to identify areas with potential EJ concerns in order to target activities and enforcement follow-up for OECA national priorities.	At midyear, assess, and identify outputs from ARD, WD, and WPTD.	At midyear, assess, and identify outcomes from ARD, WD, and WPTD.	Based on demographic data available in the OECA OTIS database, a total of over 530,000 people live within three miles of the hazardous waste handlers inspected by ECAB personnel during FY2006. The percentage of the low income and/or minority population within that same amount was over 47%.

## CROSS-CUTTING STRATEGIES

**Objective:** *Internal Capacity Building (e.g., internal program management)*

Activity	Output	Outcome	Result
1. Maintain active partnerships with Region 5 State EJ Coordinators.	Host quarterly conference calls with Region 5 State EJ coordinators to discuss important EJ issues.	Region 5 States and EPA have a common understanding of respective EJ priorities and partner in EJ activities, as appropriate.	EJ contacts/coordinators have been identified for every state in Region 5. EJ related information (grant announcements, reports, meeting notifications) has been disseminated to each state on a regular basis. State input has been sought as necessary. Plan is to develop State/EPA EJ relationship into one that includes regular conference calls and meetings to share and address EJ related issues.
2. Enhance communication of EJ-related information to internal Regional staff and external stakeholders.	<p>(a) Leverage opportunities to work with programs to provide EJ education and outreach to internal and external stakeholders.</p> <p>(b) Create and maintain the Region 5 EJ website for external stakeholders.</p> <p>(c) Incorporate EJ flag into the OECA citizen tip/complaint system.</p> <p>(d) Work with programs to identify opportunities to enhance community participation in Agency decision-making processes.</p>	Region 5 staff and external stakeholders are better informed and better equipped to identify and address EJ issues.	<p>(a) Programs provided input into identifying viable community candidates to participate in the EJ and ADR Workshop held in Chicago in September 2006.</p> <p>(b) Preliminary discussions have been had regarding the updating of our current website. Implementation is expected in 2007.</p> <p>(c) Region 5 citizen tip/complaint system was replaced by Headquarters' national database. Region 5 does not have the authority to include this flag in the national database.</p> <p>(d) As identified in item (a), Region 5 EJ grassroots community groups were invited to participate in an EJ and ADR Workshop. The tools provided in the workshop are designed to assist participants in working through the decision-making process.</p>
3. Track progress of Action Plan activities, outputs, and outcomes.	Develop process for reporting progress of Action Plan implementation.	Region 5 is informed of its progress and accomplishments toward implementing its EJ Action Plan.	Quarterly updates and a final progress report were developed for the EJ Action Plan.